

06/22/01
41093 U.S. PTO

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06-25-01

A/Box
Seq

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. BB1449 US NA

First Inventor GLASSMAN ET AL.

Title Recombinant Constructs And Their Use In Reducing Gene Expression

Express Mail Label No. ET511105629US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 61]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper 13 pages
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: unsigned declaration

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 60/213961

Prior application information: Examiner UNKNOWN

Group / Art Unit: UNKNOWN

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



23906

PATENT TRADEMARK OFFICE

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Lynne M. Christenbury

Registration No. (Attorney/Agent)

30,971

Signature

Lynne M. Christenbury

Date

22 June 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 7195

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | UNKNOWN |
| Filing Date | June 22, 2001 |
| First Named Inventor | GLASSMAN ET AL. |
| Examiner Name | UNKNOWN |
| Group / Art Unit | UNKNOWN |
| Attorney Docket No. | BB1449 US NA |

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 04-1928

Deposit Account Name: E. I. du Pont de Nemours and Company

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|------------------------|----------|
| | | 101 | 710 | Utility filing fee | 710 |
| | | 106 | 320 | Design filing fee | |
| | | 107 | 490 | Plant filing fee | |
| | | 108 | 710 | Reissue filing fee | |
| | | 114 | 150 | Provisional filing fee | |

SUBTOTAL (1) (\$) 710

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|------------------------|--------------|----------------|----------|
| 101 | -20 = 81 | X 18 = | 145 |
| Independent Claims: 35 | -3 = 32 | X 80 = | 2560 |
| Multiple Dependent: 14 | | X 270 = | 3780 |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description |
|--------------|--------------|----------|----------|--|
| | | 103 | 18 | Claims in excess of 20 |
| | | 102 | 80 | Independent claims in excess of 3 |
| | | 104 | 270 | Multiple dependent claim, if not paid |
| | | 109 | 80 | ** Reissue independent claims over original patent |
| | | 110 | 18 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 6485

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

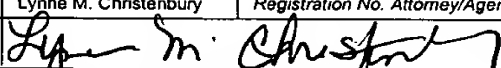
| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|--|----------|
| | | 105 | 130 | Surcharge - late filing fee or oath | |
| | | 127 | 50 | Surcharge - late provisional filing fee or cover sheet. | |
| | | 139 | 130 | Non-English specification | |
| | | 147 | 2,520 | For filing a request for reexamination | |
| | | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| | | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| | | 115 | 110 | Extension for reply within first month | |
| | | 116 | 390 | Extension for reply within second month | |
| | | 117 | 890 | Extension for reply within third month | |
| | | 118 | 1,390 | Extension for reply within fourth month | |
| | | 128 | 1,890 | Extension for reply within fifth month | |
| | | 119 | 310 | Notice of Appeal | |
| | | 120 | 310 | Filing a brief in support of an appeal | |
| | | 121 | 270 | Request for oral hearing | |
| | | 138 | 1,510 | Petition to institute a public use proceeding | |
| | | 140 | 110 | Petition to revive - unavoidable | |
| | | 141 | 1,240 | Petition to revive - unintentional | |
| | | 142 | 1,240 | Utility issue fee (or reissue) | |
| | | 143 | 440 | Design issue fee | |
| | | 144 | 600 | Plant issue fee | |
| | | 122 | 130 | Petitions to the Commissioner | |
| | | 123 | 130 | Petitions related to provisional applications | |
| | | 126 | 180 | Submission of Information Disclosure Stmt | |
| | | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| | | 146 | 710 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| | | 149 | 710 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| | | 179 | 710 | Request for Continued Examination (RCE) | |
| | | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$) 0

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|---|---------------------------------|--------|-----------|---------------|
| Name (Print/Type) | Lynne M. Christenbury | Registration No. Attorney/Agent | 30,971 | Telephone | 302-992-5481 |
| Signature |  | | | Date | June 22, 2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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The Stamp of the Patent Office hereon acknowledges the receipt, on the date indicated, of the following:

Case No.: BB1449 US NA Application No.: 60/213961

Inventor(s): GLASSMAN ET AL.

Title: RECOMBINANT CONSTRUCTS AND THEIR USE IN REDUCING GENE EXPRESSION

| | | |
|---|---|--|
| <input checked="" type="checkbox"/> Application | <input checked="" type="checkbox"/> ADS | <input type="checkbox"/> Request for Extension of Time |
| Pages of Spec: <u>61</u> (incl. Abstract & Claims) | <input type="checkbox"/> Amendment | <input type="checkbox"/> Preliminary |
| Pages of Claims: <u>8</u> | Response to: | |
| <input checked="" type="checkbox"/> Utility <input type="checkbox"/> CIP <input type="checkbox"/> RCE/CPA <input type="checkbox"/> Div. | <input type="checkbox"/> Office Action | |
| <input type="checkbox"/> Provisional <input type="checkbox"/> Provisional Coversheet | <input type="checkbox"/> Notice to File Missing Parts | |
| <input checked="" type="checkbox"/> Declaration - unsigned | <input type="checkbox"/> Issue Fee | |
| <input type="checkbox"/> Assignment | | <input checked="" type="checkbox"/> Other Seq. Ist. 13 pgs. & disk |
| <input checked="" type="checkbox"/> Drawings <u>2</u> sheets | <input type="checkbox"/> Formal | <input checked="" type="checkbox"/> Fee Transmittal Sheet |
| <input type="checkbox"/> IDS <input type="checkbox"/> Supplemental | | <input type="checkbox"/> COM <input checked="" type="checkbox"/> Express |
| Attorney: <u>Lynne M. Christenbury</u> | | |

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180 NOTED

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